

## Study finds senior citizens receive lighter sentences in federal court

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(Phys.org) —New research shows older people sentenced in federal district courts receive more leniency than younger offenders. The study was published Sept. 23 in the online edition of *Criminal Justice Studies: A Critical Journal of Crime, Law and Society*.

Besides receiving a "senior citizen discount" in sentencing, the research discovered that [older women](#) are treated with greater leniency than men. Interestingly, it found that Latinos over the age of 60 were sentenced more harshly, while older blacks received shorter sentences on average.

ASU researchers Weston Morrow, Sam Vickovic and Hank Fradella used data from the United States Sentencing Commission from fiscal years 2009 and 2010. The data covered more than 95,000 people sentenced in 89 [district courts](#). Immigrations cases were excluded.

"We usually don't think of people older than 40 as being the folks who commit crimes, but the proportion of criminal defendants age 40 or older more than doubled in the past 25 years such that they now comprise one in four defendants," says Fradella.

Although the data do not explain why judges sentence older offenders more leniently, there are three plausible explanations: they are less blameworthy due to issues outside the offender's control; they are not considered dangerous because they are less likely to commit more crime; or they could be in poor health.

"Our criminal justice system is ill-equipped to handle the special needs of older offenders, many of whom have health problems that might impair their ability to 'do time,'" Fradella says. "If they are incarcerated, the taxpayers are footing the bill for their care. Thus, we all have vested interest in figuring out why older [offenders](#) are committing crimes, and how the courts are sentencing them if they are convicted."

The study's authors suggest future research employ qualitative methods to better understand why older individuals are given more leniency. They also recommend looking at the effect of age by offense type. Finally, they suggest that research look at the specific role that an offender's health has on sentencing.

Provided by Arizona State University

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